

ESTTA Tracking number: **ESTTA445969**

Filing date: **12/13/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	2946033 Canada Inc. DBA The Mad Science Group
Granted to Date of previous extension	12/14/2011
Address	Suite 2018360 Bougainville Montreal, QC H4P 2G1 CANADA
Attorney information	David A. Bell Haynes and Boone, LLP 2323 Victory Ave., Suite 700 Dallas, TX 75219 UNITED STATES ipdocketing@haynesboone.com, david.bell@haynesboone.com Phone:214-651-5248

### Applicant Information

Application No	85258024	Publication date	08/16/2011
Opposition Filing Date	12/13/2011	Opposition Period Ends	12/14/2011
Applicant	Scholastic Inc. 557 Broadway New York, NY 10012 UNITED STATES		

### Goods/Services Affected by Opposition

Class 028.

All goods and services in the class are opposed, namely: Toy educational scientific kits comprising instructional books, storage trays, containers, petri dishes, test tubes, droppers, stirrers, measuring spoons, magnets and crystals

### Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)
<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)

### Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	2700855	Application Date	04/11/2000
Registration Date	03/25/2003	Foreign Priority	NONE

		Date	
Word Mark	MAD SCIENCE		
Design Mark	<p style="text-align: center;"><b>MAD SCIENCE</b></p>		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 VIDEO AND COMPUTER GAME SOFTWARE AND INSTRUCTIONAL MANUALS SOLD AS A UNIT</p> <p>Class 016. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 PRINTED EDUCATIONAL AND INSTRUCTIONAL MATERIALS, NAMELY, BOOKS, SCIENCE ACTIVITY BOOKS, AND MAGAZINES ALL FOR CHILDREN AND JUVENILES; PERSONAL JOURNALS, CHILDREN'S ACTIVITY BOOKS, WORKBOOKS DIRECTED TO SCIENCE, PICTURE BOOKS, STORYBOOKS, COLORING BOOKS AND SCRAPBOOKS; WORKSHOP MANUALS, EDUCATIONAL LESSON PLANS FOR USE BY TEACHERS, TEACHING GUIDES, TEACHERS' MANUALS, INSTRUCTIONAL BOOKS ALL IN THE FIELD OF ARTS AND CRAFTS, EASELS, CARDBOARD AND PAPER CONTAINERS FOR ORGANIZING CRAFT SUPPLIES</p> <p>Class 028. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 TOYS AND GAMES, NAMELY, BOARD GAMES, MANIPULATIVE GAMES, PADDLE BALL GAMES, PROMOTIONAL GAME MATERIALS, TOY ACTION FIGURES, TOY FIGURINES AND ACCESSORIES THEREFOR, TOY BOXES, TOY MOBILES, CHILDREN'S AND BABIES' MULTIPLE ACTIVITY TOYS, DOLLS, DOLL ACCESSORIES, FABRIC DOLLS, TABLE GAMES, CARD GAMES, BABY RATTLES, INFANT CHEW TOYS, BATH TOYS, WATER SQUIRTING TOYS, RIDE-ON TOYS, NON-RIDING TRANSPORTATION TOYS, PLUSH TOYS, SOFT SCULPTURE TOYS, CHILDREN'S MULTIPLE ACTIVITY TOYS, TOY VEHICLES, TOY MODEL TRAIN SETS, TOY ROCKETS, TOY GUNS, MUSICAL TOYS, TOY BALLOONS, HAND PUPPETS, SQUEEZABLE SQUEAKING TOYS, STUFFED TOYS, TALKING TOYS, INFLATABLE TOYS, PARTY FAVORS IN NATURE OF SMALL TOYS, CHILDREN'S COIN BANKS, MUSIC BOX TOYS, BASKETBALLS, FOOTBALLS, SOCCER BALLS, TENNIS BALLS, BASEBALLS, BUBBLE MAKING WANDS, KITES, JIGSAW PUZZLES, SKATEBOARDS, FACE MASKS, CHRISTMAS TREE ORNAMENTS; CHILDREN'S TOYS, NAMELY, MAGIC TRICK KITS, SLIME KITS AND CUPS FOR USE IN SCIENCE EXPERIMENTS FOR CHILDREN, HOBBY CRAFT KIT COMPRISED OF MINIATURE ROCKETS</p>		

U.S. Registration No.	2698225	Application Date	04/10/2000
Registration Date	03/18/2003	Foreign Priority Date	NONE
Word Mark	MAD SCIENCE		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 VIDEO AND COMPUTER GAME SOFTWARE AND INSTRUCTIONAL MANUALS SOLD AS A UNIT</p> <p>Class 016. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 PRINTED EDUCATIONAL AND INSTRUCTIONAL MATERIALS, NAMELY, BOOKS, SCIENCE ACTIVITY BOOKS, AND MAGAZINES ALL FOR CHILDREN AND JUVENILES; PERSONAL JOURNALS, CHILDREN'S ACTIVITY BOOKS, WORKBOOKS DIRECTED TO SCIENCE, PICTURE BOOKS, STORYBOOKS, COLORING BOOKS AND SCRAPBOOKS; WORKSHOP MANUALS, EDUCATIONAL LESSON PLANS FOR USE BY TEACHERS, TEACHING GUIDES, TEACHERS' MANUALS, INSTRUCTIONAL BOOKS ALL IN THE FIELD OF ARTS AND CRAFTS, EASELS, CARDBOARD AND PAPER CONTAINERS FOR ORGANIZING CRAFT SUPPLIES</p> <p>Class 028. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 TOYS AND GAMES, NAMELY, BOARD GAMES, MANIPULATIVE GAMES, PADDLE BALL GAMES, PROMOTIONAL GAME MATERIALS, TOY ACTION FIGURES, TOY FIGURINES AND ACCESSORIES THEREFOR, TOY BOXES, TOY MOBILES, CHILDREN'S AND BABIES' MULTIPLE ACTIVITY TOYS, DOLLS, DOLL ACCESSORIES, FABRIC DOLLS, TABLE GAMES, CARD GAMES, BABY RATTLES, INFANT CHEW TOYS, BATH TOYS, WATER SQUIRTING TOYS, RIDE-ON TOYS, NON-RIDING TRANSPORTATION TOYS, PLUSH TOYS, SOFT SCULPTURE TOYS, CHILDREN'S MULTIPLE ACTIVITY TOYS, TOY VEHICLES, TOY MODEL TRAIN SETS, TOY ROCKETS, TOY GUNS, MUSICAL TOYS, TOY BALLOONS, HAND PUPPETS, SQUEEZABLE SQUEAKING TOYS, STUFFED TOYS, TALKING TOYS, INFLATABLE TOYS, PARTY FAVORS IN NATURE OF SMALL TOYS, CHILDREN'S COIN BANKS, MUSIC BOX TOYS, BASKETBALLS, FOOTBALLS, SOCCER BALLS, TENNIS BALLS, BASEBALLS, BUBBLE MAKING WANDS, KITES, JIGSAW PUZZLES, SKATEBOARDS, FACE MASKS, CHRISTMAS TREE ORNAMENTS; CHILDREN'S TOYS, NAMELY, MAGIC TRICK KITS, SLIME KITS AND CUPS FOR USE IN SCIENCE EXPERIMENTS FOR CHILDREN, HOBBY CRAFT KIT COMPRISED OF MINIATURE ROCKETS</p>		

U.S. Registration No.	2033733	Application Date	02/01/1996
Registration Date	01/28/1997	Foreign Priority Date	NONE
Word Mark	MAD SCIENCE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 041. First use: First Use: 1985/03/05 First Use In Commerce: 1985/03/05 entertainment and educational services, namely live theatrical performances and hands-on educational programs with a science theme, for children		
U.S. Registration No.	1904688	Application Date	07/06/1993
Registration Date	07/11/1995	Foreign Priority Date	NONE
Word Mark	MAD SCIENCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1985/03/05 First Use In Commerce: 1985/03/05 entertainment services; namely, live theatrical, television participatory performances with a science theme, for children		

Attachments	76023110#TMSN.gif ( 1 page )( bytes ) 76021091#TMSN.gif ( 1 page )( bytes ) 74409218#TMSN.gif ( 1 page )( bytes ) Notice of Opposition against word mark.pdf ( 6 pages )(495603 bytes ) Exhibit 1 to Notice of Opposition.pdf ( 15 pages )(1111839 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/David A. Bell/
Name	David A. Bell
Date	12/13/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**2946033 CANADA INC. DBA  
THE MAD SCIENCE GROUP**

Opposer,

vs.

**SCHOLASTIC INC.,**

Applicant.

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Mark: DR. PHIZZ THE MAD SCIENCE WIZZ  
- Serial No. 85/258,024  
- Published August 16, 2011

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Scholastic Inc. ("Applicant") filed Application Serial No. 85/258,024 for the mark DR. PHIZZ THE MAD SCIENCE WIZZ on March 4, 2011, based on an intent to use the mark in connection with "toy educational scientific kits comprising instructional books, storage trays, containers, petri dishes, test tubes, droppers, stirrers, measuring spoons, magnets and crystals" in Class 28 ("Applicant's Application").

2946033 Canada Inc. dba The Mad Science Group ("Opposer" or "Mad Science"), the senior user and owner of multiple U.S. registrations for MAD SCIENCE covering *inter alia* toys for science experiments, printed educational materials, toys, games, and various other goods and services in Classes 9, 16, 28, and 41, will be damaged by the registration of Applicant's Application, which was published for purposes of opposition in the Official Gazette on August 16, 2011. Opposer filed a Request for Extension of Time to Oppose that extended the date by which Opposer could oppose the application to December 14, 2011.

As grounds for opposition, Opposer alleges as follows:

1. Mad Science is a leading science enrichment provider. Since at least as early as March 5, 1985, and thus more than 25 years prior to the filing date of Applicant's Application, under various MAD SCIENCE marks (collectively, the "MAD SCIENCE Marks"), Mad Science has delivered unique, hands-on science experiences for children.
2. Opposer owns the following United States trademark filings for its MAD SCIENCE Marks:

Mark	App. Serial No. Reg. No.	Relevant Dates	Class(es)
MAD SCIENCE	App. Serial No. 76023110 Reg. No. 2700855	Earliest First Use November 1999 Filed April 11, 2000 Registered March 25, 2003	9, 16, and 28
MAD SCIENCE and Design	App. Serial No. 76021091 Reg. No. 2698225	Earliest First Use 1999 Filed April 10, 2000 Registered March 18, 2003	9, 16, and 28
MAD SCIENCE	App. Serial No. 75052017 Reg. No. 2033733	Earliest First Use March 5, 1985 Filed February 1, 1996 Registered January 28, 1997	41
MAD SCIENCE and Design	App. Serial No. 74409218 Reg. No. 1904688	Earliest First Use March 5, 1985 Filed July 6, 1993 Registered July 11, 1995	41

True and correct copies of TARR printouts showing the current status and title of the registrations and applications for these trademarks are attached as Exhibit 1.

3. Opposer's registrations noted above for the MAD SCIENCE Marks are valid, subsisting, unrevoked, uncanceled, and incontestable. They constitute *prima facie* evidence of the validity of these registered marks, the registration thereof, and of Opposer's ownership of the marks shown therein as provided in Section 33(a) of the Trademark Act. All of Opposer's registrations relied on herein constitute use of Opposer's marks, conferring a right of priority nationwide in effect as of the filing date of the applications, as provided in Section 7(c) of the Trademark Act.
4. Opposer owns trademark registrations in dozens of jurisdictions worldwide – including in North, Central, and South America, Europe, the Middle East, Africa, Asia, and Oceania – for its MAD SCIENCE Marks. Through an international franchise system, Mad Science provides educational products and services to every major North American market and 29 countries worldwide. Mad Science reaches nearly 5 million children annually.
5. For decades, Opposer's business has received extensive media attention, awards, accolades, and praise, including from parents, educators, a U.S. Senator, and even the White House. As one example, in 1996, Opposer was named the #1 Franchisor in its category by Entrepreneur Magazine. Media coverage of Mad Science has included the New York Times, Wall Street Journal, CNN, and hundreds of local newspapers

and television stations around the world.

6. Advertising expenditures associated with Opposer's MAD SCIENCE Marks exceeded \$1 million in Opposer's latest fiscal year. Sales associated with Opposer's MAD SCIENCE Marks approximated \$45 - \$50 million in Opposer's latest fiscal year.
7. Opposer's primary website is located at [www.madscience.org](http://www.madscience.org).
8. By virtue of Opposer's widespread and continuous use of its MAD SCIENCE Marks and Mad Science trade name, Opposer has also established extensive common-law rights and valuable goodwill in the MAD SCIENCE Marks.
9. Through extensive use, advertising, and success of the MAD SCIENCE Marks and business, the purchasing public readily associates the MAD SCIENCE Marks in connection with Opposer's offerings, and Opposer's MAD SCIENCE Marks have become famous in the minds of consumers. In addition, the MAD SCIENCE Marks became famous for Opposer's goods and services before the filing date of Applicant's Application.
10. Applicant has been well aware of Opposer and its MAD SCIENCE Marks since at least as early as 1999. Indeed, in 1999, Applicant entered into a license agreement with Opposer for Applicant to publish a book series that incorporated the MAD SCIENCE mark. This license agreement did not provide Applicant with any ownership rights to the MAD SCIENCE Marks, nor grant any permission to Applicant to file for any mark that incorporates, is confusingly similar to, or is dilutive of the MAD SCIENCE Marks.
11. The goods identified in Applicant's Application are highly similar and related to the goods and services offered under Opposer's MAD SCIENCE Marks. Further, the companies' respective offerings are marketed or will be marketed to the same consumers and potential consumers in the same or related channels of trade.
12. Applicant's DR. PHIZZ THE MAD SCIENCE WIZZ mark is confusingly similar to Opposer's MAD SCIENCE Marks. This is particularly true as Applicant's mark incorporates the MAD SCIENCE mark in its entirety. Applicant's mark looks, sounds, and imparts an impression highly similar to that of Opposer's MAD SCIENCE Marks.

13. By virtue of the foregoing, Opposer will be damaged by the registration of Applicant's Application, in that DR. PHIZZ THE MAD SCIENCE WIZZ so resembles the MAD SCIENCE Marks, as registered and in which Opposer owns common-law rights, as to be likely, when used on or in connection with the services identified in Applicant's Application, to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).
14. Applicant's use and registration of the DR. PHIZZ THE MAD SCIENCE WIZZ mark shown in Applicant's Application will cause or is likely to cause dilution of the distinctive quality of Opposer's MAD SCIENCE Marks within the meaning of Section 43(c) of the Trademark Act, 15 U.S.C. § 1125(c).
15. At all times hereto, Applicant must have been aware of and knowledgeable of Opposer's business and significant goodwill associated with the MAD SCIENCE Marks. Upon information and belief, Applicant therefore knowingly made a false, material representation with intent to deceive the U.S. Patent and Trademark Office. Applicant's verified application for Applicant's Mark includes a Declaration that states that "to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive...." Therefore, Applicant committed fraud on the U.S. Patent and Trademark Office.
16. By reason of the foregoing, Opposer will be damaged by the registration of the mark shown in Applicant's Application.

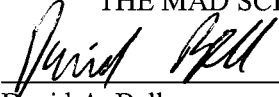
For the foregoing reasons, among others, Opposer respectfully requests that the Board to grant its Opposition and deny registration of Applicant's Application.

This Notice of Opposition is being filed electronically, so no duplicate copy is in order. The fee required by § 2.6(a)(17) will be paid simultaneously with filing.



Date: 12 / 13 / 2011

Respectfully submitted,  
2946033 CANADA INC. DBA  
THE MAD SCIENCE GROUP

  
\_\_\_\_\_  
David A. Bell  
*Attorney for Opposer*  
Haynes and Boone, LLP  
2323 Victory Avenue, Suite 700  
Dallas, TX 75202-3789  
Phone: 214-651-5248  
Facsimile: 214-200-0822  
*david.bell@haynesboone.com*

Ref. No. 29140.23  
D-2018526\_1.DOC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**2946033 CANADA INC. DBA  
THE MAD SCIENCE GROUP**

Opposer,

vs.

**SCHOLASTIC INC.,**

Applicant.

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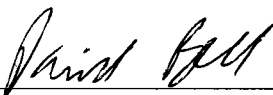
Mark: DR. PHIZZ THE MAD SCIENCE WIZZ  
- Serial No. 85/258,024  
- Published August 16, 2011

Opposition No. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 13<sup>th</sup> day of December, 2011, I caused a copy of the foregoing *Notice of Opposition* to be served by first-class mail upon the below address for the attorney of record of Applicant:

Mary Sotis  
Frankfurt Kurnit Klein & Selz PC  
488 Madison Ave Fl 10  
New York, NY 10022-5754

  
\_\_\_\_\_  
David A. Bell, Attorney for Opposer  
Haynes and Boone, LLP

## EXHIBIT 1

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-12-12 12:05:12 ET**

**Serial Number:** 76023110 Assignment Information      Trademark Document Retrieval

**Registration Number:** 2700855

**Mark (words only):** MAD SCIENCE

**Standard Character claim:** No

**Current Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Date of Status:** 2009-03-30

**Filing Date:** 2000-04-11

**Transformed into a National Application:** No

**Registration Date:** 2003-03-25

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 110

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 830 -Post Registration

**Date In Location:** 2009-03-30

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. 2946033 Canada Inc.

**DBA/AKA/TA/Formerly:** DBA The Mad Science Group

**Address:**

2946033 Canada Inc.

Suite 201 8360 Bougainville

Montreal, Quebec H4P 2G1

Canada

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Canada

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#### GOODS AND/OR SERVICES

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**International Class:** 009

**Class Status:** Active

VIDEO AND COMPUTER GAME SOFTWARE AND INSTRUCTIONAL MANUALS SOLD AS A UNIT

**Basis:** 1(a)**First Use Date:** 1999-11-00**First Use in Commerce Date:** 1999-11-00**International Class:** 016**Class Status:** Active

PRINTED EDUCATIONAL AND INSTRUCTIONAL MATERIALS, NAMELY, BOOKS, SCIENCE ACTIVITY BOOKS, AND MAGAZINES ALL FOR CHILDREN AND JUVENILES; PERSONAL JOURNALS, CHILDREN'S ACTIVITY BOOKS, WORKBOOKS DIRECTED TO SCIENCE, PICTURE BOOKS, STORYBOOKS, COLORING BOOKS AND SCRAPBOOKS; WORKSHOP MANUALS, EDUCATIONAL LESSON PLANS FOR USE BY TEACHERS, TEACHING GUIDES, TEACHERS' MANUALS, INSTRUCTIONAL BOOKS ALL IN THE FIELD OF ARTS AND CRAFTS, EASELS, CARDBOARD AND PAPER CONTAINERS FOR ORGANIZING CRAFT SUPPLIES

**Basis:** 1(a)**First Use Date:** 1999-11-00**First Use in Commerce Date:** 1999-11-00**International Class:** 028**Class Status:** Active

TOYS AND GAMES, NAMELY, BOARD GAMES, MANIPULATIVE GAMES, PADDLE BALL GAMES, PROMOTIONAL GAME MATERIALS, TOY ACTION FIGURES, TOY FIGURINES AND ACCESSORIES THEREFOR, TOY BOXES, TOY MOBILES, CHILDREN'S AND BABIES' MULTIPLE ACTIVITY TOYS, DOLLS, DOLL ACCESSORIES, FABRIC DOLLS, TABLE GAMES, CARD GAMES, BABY RATTLES, INFANT CHEW TOYS, BATH TOYS, WATER SQUIRTING TOYS, RIDE-ON TOYS, NON-RIDING TRANSPORTATION TOYS, PLUSH TOYS, SOFT SCULPTURE TOYS, CHILDREN'S MULTIPLE ACTIVITY TOYS, TOY VEHICLES, TOY MODEL TRAIN SETS, TOY ROCKETS, TOY GUNS, MUSICAL TOYS, TOY BALLOONS, HAND PUPPETS, SQUEEZABLE SQUEAKING TOYS, STUFFED TOYS, TALKING TOYS, INFLATABLE TOYS, PARTY FAVORS IN NATURE OF SMALL TOYS, CHILDREN'S COIN BANKS, MUSIC BOX TOYS, BASKETBALLS, FOOTBALLS, SOCCER BALLS, TENNIS BALLS, BASEBALLS, BUBBLE MAKING WANDS, KITES, JIGSAW PUZZLES, SKATEBOARDS, FACE MASKS, CHRISTMAS TREE ORNAMENTS; CHILDREN'S TOYS, NAMELY, MAGIC TRICK KITS, SLIME KITS AND CUPS FOR USE IN SCIENCE EXPERIMENTS FOR CHILDREN, HOBBY CRAFT KIT COMPRISED OF MINIATURE ROCKETS

**Basis:** 1(a)**First Use Date:** 1999-00-00**First Use in Commerce Date:** 1999-00-00

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "SCIENCE"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2009-03-30 - Section 8 (6-year) accepted & Section 15 acknowledged  
2009-03-23 - Assigned To Paralegal  
2009-03-20 - TEAS Section 8 & 15 Received  
2007-12-19 - Case File In TICSRS  
2006-07-18 - TEAS Change Of Correspondence Received  
2003-03-25 - Registered - Principal Register  
2003-02-03 - Allowed for Registration - Principal Register (SOU accepted)  
2003-01-21 - Statement Of Use Processing Complete  
2002-11-25 - Use Amendment Filed  
2002-11-25 - TEAS Statement of Use Received  
2002-06-12 - Extension 1 granted  
2002-05-20 - Extension 1 filed  
2002-05-20 - PAPER RECEIVED  
2001-11-27 - NOA Mailed - SOU Required From Applicant  
2001-09-04 - Published for opposition  
2001-08-15 - Notice of publication  
2001-05-22 - Approved For Pub - Principal Register  
2001-03-19 - Communication received from applicant  
2000-09-18 - Non-final action mailed

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**  
HOWARD N. ARONSON

**Correspondent**

HOWARD N. ARONSON  
Lackebach Siegel LLP  
One Chase Road  
Lackebach Siegel Building  
Scarsdale NY 10583  
Phone Number: 914-723-4300  
Fax Number: 914-723-4301

**Domestic Representative**

Howard N. Aronson  
Phone Number: 914-723-4300  
Fax Number: 914-723-4301

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-12-13 10:27:38 ET**

**Serial Number:** 76021091 Assignment Information Trademark Document Retrieval

**Registration Number:** 2698225

**Mark**



**(words only):** MAD SCIENCE

**Standard Character claim:** No

**Current Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Date of Status:** 2009-03-19

**Filing Date:** 2000-04-10

**Transformed into a National Application:** No

**Registration Date:** 2003-03-18

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 110

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 830 -Post Registration

**Date In Location:** 2009-03-19

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. 2946033 Canada Inc.

**DBA/AKA/TA/Formerly:** DBA The Mad Science Group

**Address:**

2946033 Canada Inc.



8360 Bougainville, Suite 201  
Montreal, Quebec H4P 2G1  
Canada  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Canada

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### GOODS AND/OR SERVICES

---

**International Class:** 009

**Class Status:** Active

VIDEO AND COMPUTER GAME SOFTWARE AND INSTRUCTIONAL MANUALS SOLD AS A UNIT

**Basis:** 1(a)

**First Use Date:** 1999-11-00

**First Use in Commerce Date:** 1999-11-00

**International Class:** 016

**Class Status:** Active

PRINTED EDUCATIONAL AND INSTRUCTIONAL MATERIALS, NAMELY, BOOKS, SCIENCE ACTIVITY BOOKS, AND MAGAZINES ALL FOR CHILDREN AND JUVENILES; PERSONAL JOURNALS, CHILDREN'S ACTIVITY BOOKS, WORKBOOKS DIRECTED TO SCIENCE, PICTURE BOOKS, STORYBOOKS, COLORING BOOKS AND SCRAPBOOKS; WORKSHOP MANUALS, EDUCATIONAL LESSON PLANS FOR USE BY TEACHERS, TEACHING GUIDES, TEACHERS' MANUALS, INSTRUCTIONAL BOOKS ALL IN THE FIELD OF ARTS AND CRAFTS, EASELS, CARDBOARD AND PAPER CONTAINERS FOR ORGANIZING CRAFT SUPPLIES

**Basis:** 1(a)

**First Use Date:** 1999-11-00

**First Use in Commerce Date:** 1999-11-00

**International Class:** 028

**Class Status:** Active

TOYS AND GAMES, NAMELY, BOARD GAMES, MANIPULATIVE GAMES, PADDLE BALL GAMES, PROMOTIONAL GAME MATERIALS, TOY ACTION FIGURES, TOY FIGURINES AND ACCESSORIES THEREFOR, TOY BOXES, TOY MOBILES, CHILDREN'S AND BABIES' MULTIPLE ACTIVITY TOYS, DOLLS, DOLL ACCESSORIES, FABRIC DOLLS, TABLE GAMES, CARD GAMES, BABY RATTLES, INFANT CHEW TOYS, BATH TOYS, WATER SQUIRTING TOYS, RIDE-ON TOYS, NON-RIDING TRANSPORTATION TOYS, PLUSH TOYS, SOFT SCULPTURE TOYS, CHILDREN'S MULTIPLE ACTIVITY TOYS, TOY VEHICLES, TOY MODEL TRAIN SETS, TOY ROCKETS, TOY GUNS, MUSICAL TOYS, TOY BALLOONS, HAND PUPPETS, SQUEEZABLE SQUEAKING TOYS, STUFFED TOYS, TALKING TOYS, INFLATABLE TOYS, PARTY FAVORS IN NATURE OF SMALL TOYS, CHILDREN'S COIN BANKS, MUSIC BOX TOYS, BASKETBALLS, FOOTBALLS, SOCCER BALLS, TENNIS BALLS, BASEBALLS, BUBBLE MAKING WANDS, KITES, JIGSAW PUZZLES, SKATEBOARDS, FACE MASKS, CHRISTMAS TREE ORNAMENTS; CHILDREN'S TOYS, NAMELY, MAGIC TRICK KITS, SLIME KITS AND CUPS FOR USE IN SCIENCE EXPERIMENTS FOR CHILDREN, HOBBY CRAFT KIT COMPRISED OF MINIATURE ROCKETS

**Basis:** 1(a)

**First Use Date:** 1999-00-00

**First Use in Commerce Date:** 1999-00-00

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "SCIENCE"

**Design Search Code(s):**

**01.09.05** - Atomic models; Molecular models

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2009-03-19 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-03-19 - Assigned To Paralegal

2009-03-19 - Assigned To Paralegal

2009-03-19 - Assigned To Paralegal

2009-03-17 - TEAS Section 8 & 15 Received

2007-12-19 - Case File In TIGRS

2006-07-18 - TEAS Change Of Correspondence Received

2003-03-18 - Registered - Principal Register

2003-01-23 - Allowed for Registration - Principal Register (SOU accepted)

2003-01-16 - Statement Of Use Processing Complete

2002-11-25 - Use Amendment Filed

2002-12-12 - TEAS Statement of Use Received

2002-05-20 - Extension 1 granted

2002-05-20 - Extension 1 filed

2002-05-20 - PAPER RECEIVED

2001-11-27 - NOA Mailed - SOU Required From Applicant

2001-09-04 - Published for opposition  
2001-08-15 - Notice of publication  
2001-05-28 - Approved For Pub - Principal Register  
2001-03-19 - Communication received from applicant  
2000-09-18 - Non-final action mailed  
2000-09-13 - Assigned To Examiner  
2000-07-19 - Communication received from applicant

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Howard N. Aronson

**Correspondent**

Howard N. Aronson  
Lackebach Siegel LLP  
One Chase Road  
Lackebach Siegel Building  
Scarsdale NY 10583  
Phone Number: 914-723-4300  
Fax Number: 914-723-4301

**Domestic Representative**

Howard N. Aronson  
Phone Number: 914-723-4300  
Fax Number: 914-723-4301

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-12-12 12:05:58 ET**

**Serial Number:** 75052017 Assignment Information      Trademark Document Retrieval

**Registration Number:** 2033733

**Mark (words only):** MAD SCIENCE

**Standard Character claim:** No

**Current Status:** The registration has been renewed.

**Date of Status:** 2007-03-26

**Filing Date:** 1996-02-01

**Transformed into a National Application:** No

**Registration Date:** 1997-01-28

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 105

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 830 -Post Registration

**Date In Location:** 2007-03-26

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. 2946033 CANADA INC.

**Address:**

2946033 CANADA INC.  
3400 JEAN-TALON WEST SUITE 201  
MONTREAL QUEBEC H3R 2E8  
Canada

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Canada

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**GOODS AND/OR SERVICES**

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**International Class:** 041

**Class Status:** Active

entertainment and educational services, namely live theatrical performances and hands-on educational programs with a science theme, for children

**Basis:** 1(a)

**First Use Date:** 1985-03-05

**First Use in Commerce Date:** 1985-03-05

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#### ADDITIONAL INFORMATION

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**Disclaimer:** "SCIENCE"

**Prior Registration Number(s):**

1904688

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2007-03-26 - First renewal 10 year

2007-03-26 - Section 8 (10-year) accepted/ Section 9 granted

2007-03-19 - Assigned To Paralegal

2007-01-18 - Combined Section 8 (10-year)/Section 9 filed

2007-01-18 - TEAS Section 8 & 9 Received

2006-12-28 - Case File In TICRS

2006-06-13 - TEAS Change Of Correspondence Received

2003-02-20 - Section 8 (6-year) accepted & Section 15 acknowledged

2002-10-10 - Section 8 (6-year) and Section 15 Filed

2002-10-10 - PAPER RECEIVED

1997-01-28 - Registered - Principal Register

1996-11-05 - Published for opposition

1996-10-04 - Notice of publication

1996-07-22 - Approved for Pub - Principal Register (Initial exam)

1996-07-12 - Examiner's amendment mailed

1996-07-09 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

HOWARD N ARONSON

**Correspondent**

HOWARD N. ARONSON

LACKENBACH SIEGEL LLP

ONE CHASE ROAD

LACKENBACH SIEGEL BUILDING

SCARSDALE, NY 10583

Phone Number: 914-723-4300

Fax Number: 914-723-4301

**Domestic Representative**

HOWARD N ARONSON

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-12-13 10:27:58 ET**

**Serial Number:** 74409218 Assignment Information

Trademark Document Retrieval

**Registration Number:** 1904688

**Mark**



**(words only):** MAD SCIENCE

**Standard Character claim:** No

**Current Status:** The registration has been renewed.

**Date of Status:** 2004-12-08

**Filing Date:** 1993-07-06

**Transformed into a National Application:** No

**Registration Date:** 1995-07-11

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 10

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2007-06-28

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. 294 6033 Canada Inc.

**DBA/AKA/TA/Formerly:** DBA The Mad Science Group

**Address:**

294 6033 Canada Inc.

3400 JEAN-TALON WEST SUITE 101  
MONTREAL H3R 2E8  
Canada  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Canada

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### GOODS AND/OR SERVICES

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**International Class:** 041  
**Class Status:** Active  
entertainment services; namely, live theatrical, television participatory performances with a science theme, for children  
**Basis:** 1(a)  
**First Use Date:** 1985-03-05  
**First Use in Commerce Date:** 1985-03-05

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### ADDITIONAL INFORMATION

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**Disclaimer:** "SCIENCE"

**Design Search Code(s):**  
**01.09.05** - Atomic models; Molecular models

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2007-06-28 - Case File In TICRS  
2006-10-26 - TEAS Change Of Correspondence Received  
2004-12-08 - First renewal 10 year  
2004-12-08 - Section 8 (10-year) accepted/ Section 9 granted  
2004-11-11 - Combined Section 8 (10-year)/Section 9 filed  
2004-11-11 - TEAS Section 8 & 9 Received  
2001-08-11 - Section 8 (6-year) accepted & Section 15 acknowledged  
2001-06-27 - Section 8 (6-year) and Section 15 Filed



1995-07-11 - Registered - Principal Register  
1995-04-18 - Published for opposition  
1995-03-17 - Notice of publication  
1994-11-01 - Approved for Pub - Principal Register (Initial exam)  
1994-10-26 - Examiner's amendment mailed  
1994-06-24 - Notice of unresponsive amendment mailed  
1994-05-09 - Communication received from applicant  
1994-03-21 - Final refusal mailed  
1994-01-14 - Communication received from applicant  
1993-12-16 - Unresponsive/Duplicate Paper Received  
1993-12-07 - Non-final action mailed  
1993-11-09 - Assigned To Examiner  
1993-11-01 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

HOWARD N. ARONSON

**Correspondent**

Howard N. Aronson  
Lackebach Siegel LLP  
Lackebach Siegel Building  
One Chase Road  
Scarsdale NY 10583  
Phone Number: 914-723-4300  
Fax Number: 914-723-4301

**Domestic Representative**LACKENBACH SIEGEL

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